

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Kelly L. Stephens
Clerk

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Filed: February 21, 2025

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Wicker Brammell
323 W. Main Street
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Louisville, KY 40202

Re: Case No. 25-5138, *USA v. Brian Kelsey*
Originating Case No. 3:21-cr-00264-1

Dear Counsel,

This appeal has been docketed as case number **25-5138** with the caption that is enclosed on a separate page.

Even if the defendant filed the notice of appeal, Sixth Circuit Rule 12(c)(1) requires that counsel continue representation on appeal until specifically relieved by this Court. If a convicted defendant did not qualify to proceed in forma pauperis in the district court but appears to qualify on appeal, Sixth Circuit Rule 24 requires that "trial counsel must see that the defendant completes CJA Form 23 (for an incarcerated defendant) or Fed. R. App. P. Form 4 (for a defendant not incarcerated) and files it in the district court." Counsel's failure to act in this situation may result in adverse action from this court.

Before preparing any documents to be filed, counsel are strongly encouraged to read the Sixth Circuit Rules at www.ca6.uscourts.gov. If you have not established a PACER account and registered with this court as an ECF filer, you should do so immediately. Your password for district court filings will not work in the appellate ECF system.

At this stage of the appeal, the following forms should be downloaded from the website and filed with the Clerk's office by **February 28, 2025**. Additionally, the transcript order must be completed by that date. **The court will review this case to determine if transcripts and briefing should be expedited. If the court enters an expedited order, the deadlines for transcripts may be shortened.** For further information and instructions on ordering transcript electronically, please visit the court's website.

Appellant: Appearance of Counsel
Application for Admission to 6th Circuit Bar (if applicable)

Appellee: Appearance of Counsel
Application for Admission to 6th Circuit Bar (if applicable)

More specific instructions are printed on each form. If the filing fee for the appeal is due because the appellant is not indigent, it must be paid to the District Court by **February 28, 2025**. These deadlines are important -- if the initial forms are not timely filed or the filing fee is due but not paid, the appeal will be dismissed for want of prosecution.

If you have questions after reviewing the forms and the rules, please contact the Clerk's office for assistance.

Sincerely yours,

s/Jill E. Colyer
Case Management Specialist
Direct Dial No. 513-564-7024

Enclosure

OFFICIAL COURT OF APPEALS CAPTION FOR 25-5138

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

BRIAN KELSEY

Defendant - Appellant